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December 18, 2023

VIA ECF

Honorable Magistrate Judge Sarah Netburn
United States District Court of the
Southern District of New York
40 Foley Square, Courtroom 219
New York, New York 10007

Re: Leonardo Castro v. Quality Auto Services Inc., et al
SDNY Case No.: 23-CV-3738 (JMF)
Our File No.: 2K19S1126K

Dear Honorable Judge Furman:

This law firm represents Defendant Quality Auto Services Inc. (“Quality” or “Defendant”) in the above captioned matter. Due to exigent circumstances as explained in detail below, Defendant seeks a 45-day extension from this date to serve Defendant’s Discovery Demands and Defendant’s Responses to Plaintiff’s Discovery Demands.

For the last two months Quality Auto has faced significant and extreme difficulties due to the City of New York's enforcement of eminent domain, forcing them to quickly vacate their large Manhattan location. As they had maintained one of the largest automobile mechanic garages in the city, this unexpected circumstance has prompted a rushed and very extensive relocation process that has resulted in a number of unexpected hardships and challenges including the inability to retrieve pertinent documentation, presently stored and currently inaccessible due to several factors including being placed in storage with many other items during the move.

Moreover, Quality’s relocation to substantially smaller premises and necessary renovations at the new site have created a situation where the files cannot be moved without the risk of damage or complicating the renovation process. As a consequence of the relocation, a significant portion of the Plaintiff's staff, including those with the knowledge of the necessary files has also been placed on furlough until the move is finalized. This has also severely limits Defendant’s capacity to thoroughly review and access the required documentation within the statutory timeframe.

Defendant Quality is diligently working to finalize their move and anticipates regaining access to the necessary documents once their relocation is completed. In consideration of these unforeseen and exceptional circumstances faced by Defendant, it is kindly and respectfully requested that the Court grant a 45-day extension from the date of this application to submit Defendant’s Discovery Demands and Defendant’s Responses to Plaintiff’s Discovery Demands.

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The requested extension would afford Quality the necessary time to conclude their relocation and retrieve the essential documents to comply with the Discovery requirements. Should the Court grant this request, it would also seem to be prudent to adjourn the Settlement Conference currently scheduled for January 30, 2024 until after that discovery has been completed. Plaintiff's counsel has been advised of the foregoing and has consented to this application.

We assure the Court of our commitment to promptly provide the required documentation as soon as possible. Thank you for your attention and understanding regarding this matter. The Court's time and courtesies are truly and sincerely appreciated.

Very truly yours,

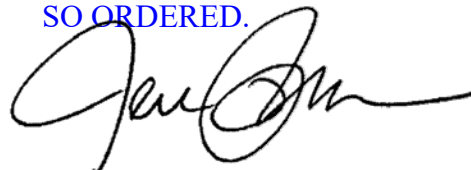


Steven J. Czik

cc: El-Hag and Associates P.C. via ECF

Application GRANTED. The pretrial conference scheduled for January 11, 2024 is hereby ADJOURNED to **February 1, 2024 at 9:00 a.m.** Any request to adjourn the settlement conference scheduled for January 30, 2024, must be made to Magistrate Judge Netburn. The Clerk of Court is directed to terminate ECF No. 24.

SO ORDERED.



December 20, 2023